(क) दिसम्बर, 1998 की स्थिति के अनुसार देश के विभि न्यायालयों में हिन्दू विवाह अधिनियम और महिलाओं के शोषज से संबंधित कितने मामले लंबित पड़े हैं;

(ख) क्या सरकार न्यायालयों में लंबित मामलों का शीघ्र निपटान और महिलाओं को शीघ्र न्याय दिलाना सुनिश्चित करने के लिए कोई योजना बना रही है;

(ग) यदि हां, तो उसका ब्यौरा क्या है; और

(घ) यदि नहीं, तो उसके क्या कारण हैं?

विधि, न्याय और कंपनी कार्य मंत्री (श्री एम. थम्बी दुरई): (क) से (घ) अपेक्षित जानकारी एकत्रित की जा रही है और सदन के पटल पर रख दी जाएगी।

न्यायाधीशों की नियुक्ति के लिए राष्ट्रीय न्यायिक आयोग

124. **श्री नरेन्द्र मोहन:** क्या विधि, न्याय और कंपनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) न्यायाधीशों की नियुक्ति हेतु राष्ट्रीय न्यायिक आयोग की स्थापना करने के संबंध में सरकार का क्या विचार है;

(ख) न्यायाधीशों की नियुक्ति के मुद्दे पर राष्ट्रीय स्तर पर पाये गये मतभेद का ब्यौरा क्या है; और

(ग) क्या यह सच है कि न्यायाधीशों की नियुक्ति में ऊंचे स्तर पर हस्तक्षेप किया जाता है?

विधि, न्याय और कंपनी कार्य मंत्री (श्री एम. थम्बी दुरई): (क) शासन के लिए राष्ट्रीय कार्यसूची की मदों में से एक मद, उच्चतम न्यायालय और उच्च न्यायालयों में न्यायिक नियुक्तियों के लिए सिफारिशें करने और न्याय पालिका के लिए एक आचरण संहिता तैयार करने के लिए, एक राष्ट्रीय न्यायिक आयोग का गठन करना है।

(ख) और (ग) उच्चतम न्यायालय और उच्च न्यायालयों के न्यायाधीशों की नियुक्ति, भारत के संविधान के सुसंगत उपबंधों के अनुसार की जाती है। सरकार को न्यायाधीशों की नियुक्ति में किसी स्तर पर मत वैभिनय या हस्तक्षेप की जानकारी नहीं है।

Recommendations of the high powered committee on electoral funding

125. DR. ALLADI P. RAJKUMAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the recommendations of the high prowered committee on electroal funding;

(b) what is Government's reaction thereto; and

(c) the steps taken to create an election fund for funding of election for candidates of recognised parties?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) A statement containing the gist of recommendations made by the Committee on State Funding of Elections is laid on the Table of the House. (*see* below) The recommendations of the Committee would be discussed with political parties.

Statement

Gist of Recommendations of Committee on State Funding of Elections

1. **State Funding of Elections :**

The Committee has recommended, to begin with, only partial State assistance, in kind only in the form of certain facilities, to recognised polictical parties in way that it provides them relief not only in carrying out their electoral activities and meeting partly the cost of essential items of electioneering campaigns of their candidates, but also helps them partially in the current administration of their day to day functioning during non-election period. Gradually, more and more of their expenses' burden can be progressively shifted to the State so that ultimately all their legitimate expenses become a charge on the State. In this respect, the Committee has recommended creation of a separate Eleciton Fund to which the Central Government may contribute at the rate of Rs. 10/- per elector *i.e.* about Rs. 600 crores annually. The State Governments also, all taken together, may contribute proportionately Rs. 600 crores annually to the Fund.

In its report, the Committee has also specified the nature of facilities to be provided to the recognised political parties and their candidates at State cost. These incldue:—

(I) For Recognised Political Parties:

(i) Suitable rent-free accommodation for its headquarter.

(ii) One rent-free telephone, with STD facility with a specified number of telephone calls over and above the free calls permitted to any subscriber.

(iii) Sufficient free air time on the State owned media; certain additional time on the basis of votes polled; permission to use the allotted time for their propaganda in the manner they like and not necessarily for speeches alone.

(iv) Regulation of private channels for fair and balanced presentation of the views of all parties.

(II) For Candidates of Recognised Parties:

(i) Specified quantity of petrol/ diesel.

(ii) Specified quantity of paper for printing.

(iii) Postal stamps of a certain specified amount.

(iv) Five copies of electoral rolls in addition to the copies of the rolls persently being provided as per rules.

(v) For an assembly election, one set of loudspeakers and for a parliamentary election, one set of loudspeakers for every assembly segment, subject to a maximum of six such sets.

(vi) For an assembly election, one telephone with a specified number of free calls, and for a parliamentary election, at the rate one telephone for every assembly segment, subject to a maximum of six telephones.

(vii) On the day of poll, some minimum arrangements may be made for the candidates' camps at each polling station.

(viii) Supply of refreshments and food packets to the counting agents inside the counting hall.

2. Maintenance of Accounts by Political Parties and Audit thereof:

(i) Political parties should compulsorily submit their annual accounts regularly to the income Tax Authorities showing all details of their receipts and expenditure.

(ii) No political party which has failed to submit its annual return for the previous assessment year under thr Income Tax Act should be eligible for any State funding.

(iii) The Chartered Accountant may be selected by the political party itself. The Income Tax authorities will, however, be free to have a further check by their own agencies of returns submitted by parties.

(iv) Each party receiving State subsidy should also file a complete account of its election expenditure during an election to the Election Commission in the format prescribed by the Commission.

(v) All subscriptions, donations received by a party above the amount of Rs. 10,000/ - should be by means of a cheque banks draft and should be mentioned in party accounts.

3. Ban on donation by Companies to Political Parties:

The question whether there should be any ban on donations by companies and corporate bodies for political purposes may be decided by the Government and Parliament in their collective wisdom. Ban on donation by Government Companies for political purposes should continue.

4. Inclusion of Expenses of Political Parties in the Elections Expenses of Candidates for the purposes of Ceiling on Eleciton Expenses:

The Question whether election expenses of political parties and other bodies or associations and individuals should be included or not in the accounts of elections expenses of candidates may be decided by the Government/ Parliament in their collective wisdom. However, apparent contradiction between the provisions of Section 77(1). Explanation 1 of Representation of the People Act, 1951 and Section 171H of Indian Penal Code needs to be resolved as the former permits political parties and all other bodies or associations or individuals to make election expenses for any candidate without his authorisation whereas the latter prohibits it.

5. Empowering of the Election Commission of India to fix Ceiling on Election Expenses before every general election:

Periodic revision of election expenses may continue to be done by the Central Government in consultation with the Election Commission of India as at present.

Failure of companies in fulfilling their statutory obligations

126. SHRI C. RAMACHANDRAIAH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that thousands of companies, which have been registered, have failed to file their annual reports and balance sheets and fulfil their statutory obligations;

(b) if so, the details thereof, regionwise;

(c) the steps taken by Government to trace the missing companies; and

(d) the steps proposed to be taken by Government to prevent such incidents in future?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) The number of companies which have not filed their Annual Accounts for 1997-98 so far is given below regionwise:

Region	No. of companies (both Private Limited and Public Limited)
Northern	74339
Western	73180
Eastern	34673
Southern	65143

(c) and (d) A Special Cell has been constituted in the Department of Company Affairs to take action against vanishing companies which had raised capital through public issues in coordination with Securities Exchange board of India (SEBI). Regional Directors and Registrar of Companies have been directed to take steps in respect of companies which have received money through public issues and also to issue default notices to companies and their Managing Director, Whole-time Directors, Managers and Ordinary Directors which have not filed Annual Accounts and Annual Returns by due date.

Appointment of SCs and STs as Supreme Court Judges

127. SHRI N. R. DASARI:
SHRI NAGENDRA NATH OJHA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that theHon'ble President has recommended that persons belonging to weaker sections of society like SCs and STs and women be given due consideration in the appointment of Supreme Court Judges; and

(b) if so, the details in this regard and what efforts are being made to identify eligible persons from these categories for appointments to various courts, as judges?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) Correspondence exchanged between the Constitutional authorities on appointment of Judges is confidential in nature and, therefore, cannot be disclosed.

The appointment of Judges of the Supreme Court and the High Courts is made in terms of Article 124 and Article 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The Government have, however, addressed letters to the Chief Ministers of the States and the Chief Justices of the High Courts from time to time requesting them to locate suitable persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, other Backward Classes, Minorities and Women for appointment as High Court Judges.

Expressway between Calcutta and Guwahati

128. DR. ARUN KUMAR SARMA: Will the Minister of SURFACE TRANSPORT be pleased to state: (a) whether Government propose to build an Express Highway between Calcutta and Guwahati;

(b) if so, the details thereof and if not, the reasons therefor;

(c) the details of proposals finalised to provide better road linkage to North- East;